

Staff Sick Leave

The district recognizes that there may be times when an employee is unable to fulfill the duties of his/her position due to illness. Therefore, paid sick leave is provided for full-time employees in accordance with this policy.

Accrual and use

Paid sick leave may be accumulated without limit at the rates noted below:

<u>Staff Category</u>	<u>Days Worked</u>	<u>Sick Days per School Year</u>
Administrators & Licensed Teachers	234 +	12
Administrators & Licensed Teachers	214-233	11
Administrators & Licensed Teachers	179-213	10
Classified Employees (8hrs per day)	234 +	12
Classified Employees (8hrs per day)	214-233	11
Classified Employees (8hrs per day)	179-213	10
Classified Employees (<i>Less than 8hrs per day</i>) Food Services	Varied	8
Classified Employees (<i>Less than 8hrs per day</i>) Aides & Transportation	Varied	6

Sick leave may be taken for the following reasons:

- personal mental or physical illness, injury, or health condition or the need to obtain medical care;

- the necessary care and attendance for the employee's family member who has a mental or physical illness, injury or health condition or the need to obtain medical care;
- seeking medical attention or related services if the employee or a member of the employee's family has been the victim of domestic abuse, sexual assault, or harassment;
- the district has been ordered to close by a public official due to a public health emergency; or
- the school or childcare provider for the employee's child has been ordered to close by a public official due to a public health emergency and the employee needs to be absent from work to care for their child.

For sick leave purposes, the term "family member" means a member of the employee's immediate family (a person who is related by blood, marriage, civil union, or adoption), a child to whom the employee stands in loco parentis or a person who stood in loco parentis to the employee when the employee was a minor, or a person for whom the employee is responsible for providing or arranging health- or safety-related care. Exceptions may be made by the superintendent.

Documentation may be required for approval of taking three or more consecutive paid sick days. Any health or safety information relating to an employee or employee's family member will be maintained on a separate form and in a separate file from other personnel information, treated as confidential medical records, and will not be disclosed except to the affected employee or with the express permission of the affected employee.

Employees may be paid, at the rates noted below, for all accumulated days of 50 or more upon separation or retirement, provided such separation or retirement comes at the end of the current contracted period and provided the individual is leaving the district in good standing with appropriate notice so as not to create a hardship in the district.

For All Accumulated Days less than fifty (50):
Licensed Only (non-administrative): \$50 per day
For All Accumulated Days of fifty (50) or more:
Licensed: substitute daily rate as established at the beginning of the 2018-2019 school year

Classified: one-half their current per diem rate
Administrators: one-half their current per diem rate

Reinstatement upon rehiring

If an employee separates from employment with the district and is rehired by the district within 6 months after the separation, the district must reinstate any paid sick leave that the employee had accrued but not used during the employee's previous employment if that accrued paid sick leave had not been paid out at the time of the separation.

Additional leave during a public health emergency

In addition to the paid sick leave generally accrued, on the date a public health emergency is declared the district will supplement each employee's accrued paid sick leave as necessary to ensure that full-time employees who work 40 hours of more in a week may take at least 80 hours of paid sick leave and that employees who work fewer than 40 hours in a week may take at least the greater of the number of hours the employee is scheduled to work in a 14-day period or the average time the employee works in a 14-day period. The district may count an employee's unused accrued paid sick leave toward the supplemental paid sick leave.

An employee may use the supplemental paid sick leave until 4 weeks after the official termination or suspension of the public health emergency. Leave under this provision may be taken for the following reasons:

- self-isolation or seeking medical care or treatment due to a diagnosis or symptoms of a communicable illness that is the cause of a public health emergency;
- caring for a family member who is self-isolating or seeking medical care after being diagnosed or is experiencing symptoms of a communicable illness that is the cause of a public health emergency;
- a determination from a local, state, or federal public official or health authority that an employee or a member of the employee's family that the employee cares poses a risk to the health of others;
- caring for a family member when the individual's school or place of care has been physically closed due to a public health emergency; or

- an employee's inability to work because of a health condition that may increase susceptibility to or risk of a communicable illness that is the cause of a public health emergency.

Nondiscrimination

The Board, the superintendent, other administrators and district employees will not unlawfully discriminate, take adverse action, or retaliate against any employee who takes, attempts to take, or supports taking paid sick leave in accordance with this policy, files a complaint or informs any person about an alleged violation of the Healthy Families and Workplaces Act, or participates in an investigation, hearing, or proceeding related to such matter.

Notice

To reduce unlawful discrimination and to ensure a healthy workplace environment, the administration is responsible for providing notice of this policy and the poster created by the Colorado Department of Labor and Employment to all district schools and departments. The policy must be reference in employee handbooks and otherwise be made available to all staff through electronic or hard-copy distribution.

Adopted by the superintendent: March 24, 2016

Revised: February 27, 2019

Revised and recoded by the superintendent: July 17, 2109

Revised: January 27, 2021

LEGAL REFS.: ~~C.R.S. 14-15-101 et seq. (Colorado Civil Union Act)~~

C.R.S. 2-4-401 (*definition of immediate family*)

C.R.S. 8-13.3-401 et seq. (*Healthy Families and Workplaces Act*)

CROSS REFS.:

Board policy:

EL-12, Staff Treatment

Administrative policies:

GBDA, Board-Staff Meet and Confer

GBGF, Federally-Mandated Family and Medical Leave

GBGH, Sick Leave Bank

GBJ, Personnel Records and Files

NOTE 1: Each employee earns at least 1 hour of paid sick leave for every 30 hours worked, up to a maximum of 48 hours (6 days). Districts may provide paid sick leave that accrues at a faster or more generous rate than required and may satisfy the accrual requirements by providing employees with an amount of paid sick leave that meets or exceeds the 48 hours at the beginning of the year.

NOTE 2: Districts may, but are not required to, pay out unused paid sick leave upon termination, resignation, retirement, or other separation. C.R.S. 8-13.3-403(5)(a). However, districts must reinstate any unused paid sick leave if an employee is rehired within 6 months of separating from the district. C.R.S. 8-13.3-403(5)(b).

NOTE 3: Districts must retain records for each employee for a 2-year period documenting hours worked, paid sick leave accrued, and paid sick leave used. These records are subject to audit by the Colorado Division of Labor Standards and Statistics in the Department of Labor and Employment. C.R.S. 8-13.3-409(a).

File: GB-16 (GBGG)

Weld County School District Re-3J, Hudson, Colorado